

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

SAKEENA S. MYRICK,
Plaintiff,

v.

**COLLINGDALE BOROUGH AND
POLICE OFFICER BRIAN FISH**
Defendant.

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CIVIL ACTION

No.: 11-2791

ORDER

AND NOW, this 12TH day of October, 2012, upon consideration of Defendants Collingdale Borough and Police Officer Brian Fish's Motion for Partial Summary Judgment (Doc. No. 22) and Plaintiff's Response thereto (Doc. No. 24), and for the reasons set forth in the accompanying Memorandum, it is hereby **ORDERED** that the Borough of Collingdale is dismissed as a Defendant on all "Monell" claims by agreement of the parties. Summary judgment is **GRANTED** only as to Plaintiff's claims of excessive force in violation of 42 U.S.C. §1983, as well as to Plaintiff's claims of assault, battery, abuse of process, and intentional infliction of emotional distress. Summary judgment is **DENIED** in all other respects.

BY THE COURT:

/s/ Lynne A. Sitarski

LYNNE A. SITARSKI
UNITED STATES MAGISTRATE JUDGE